

REMARKS

Claims 1, 2 and 4-7 are pending. By this Response, claims 1 and 2 are amended, claims 4-7 added and claim 3 cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Allowable Subject Matter

Applicant appreciates the indication of claim 3 as containing allowable subject matter. Applicant notes that claim 1 has been amended to include the features of claim 3. Thus, claim 1 now includes the features of claim 3 indicated in the Office Action as being allowable in view of the prior art.

Title

The Office Action objects to the specification as requiring a new title. In response, applicants have amended the title to now recite "Focus Operation for an Optical Disk Device." Applicant respectfully submits that the new title is descriptive of the invention. Accordingly, withdrawal of the objection is respectfully requested.

Prior Art Rejection

The Office Action rejects claims 1 and 2 under 35 U.S.C. §102(b) as being anticipated by Okada, et al. (US 6,400,663). This rejection is respectfully traversed.

Applicant respectfully submits that claim 1 as amended includes the allowable features of dependent claim 3 which is stated to not be taught by Okada or the prior art. Therefore, applicant respectfully submits that Okada fails to teach, *inter alia*, wherein the memory means of the data table in which a relationship between an ambient temperature obtained from temperature detection means and the amount of movement of the lens of the focusing means is described, and the logic operation means uses the amount of movement of the lens corresponding to the ambient temperature obtained from the temperature detection unit adds an initial value which is set to the servo control means, as recited in claim 1. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

Although Okada fails to teach the features of claim 1, applicant provides the following comments in consideration of the newly added claims.

Okada teaches an optical disk apparatus which performs a focusing operation when a disk is inserted into the disk apparatus. As discussed in Okada with regards to Figs. 17 and 18 and at column 11 through column 12 and column 15, lines 5-65, an initial position is set for the lens in relation to the disk. The initial position moving speed and drive range are determined based on the type of disk loaded into the disk apparatus. From this initial position, data is obtained at other predetermined positions and compared against each other to determine the appropriate range for the focus position of the lens.

Applicant respectfully submits that Okada does not teach replacing initial value stored in a memory based on the values used to determine the lens focus

position. Okada teaches using the same initial values based on the type of disk placed in the system. Further, as stated in the Office Action, Okada does not teach using ambient temperature readings and adjusting of initial values used to set the lens position. Thus, Okada fails to teach the features of claims 4-7.

In view of the above, applicant respectfully submits claims 1, 2 and 4-7 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

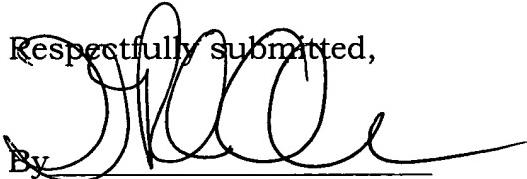
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to deposit account no. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,



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